

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICOLE MOLLING,

Plaintiffs,

-against-

LIEBENRAU LLC, et al.,

Defendants.

ORDER OF DISMISSAL

22-CV-08225 (PMH)

PHILIP M. HALPERN, United States District Judge:

Nicole Molling (“Plaintiff”) commenced this action against Liebenrau LLC (d/b/a/ Cohecton Pump House), Cohecton Pump House, David Lieberman, and Jin Unknown (together, “Defendants”), by filing a Complaint on September 26, 2022. (Doc. 1).

On December 29, 2022, the Court entered an Order to Show Cause as a result of Plaintiff’s failure to serve Defendants in compliance with Federal Rule of Civil Procedure 4(m). (Doc. 2). Plaintiff responded to the Order to Show Cause on January 12, 2023, requesting “an additional thirty (30) days to rectify any deficiencies . . . and to serve the named defendants in this action.” (Doc. 8). The Court granted Plaintiff’s requested extension on January 17, 2023, cautioning that the action “will be dismissed for failure to effect timely service should Plaintiff fail to file executed affidavits of service or executed service waivers by February 16, 2023.” (Doc. 11).

To date, Plaintiff has failed to file anything indicating that any Defendant has either been served or alternatively that any Defendant has waived service. Accordingly, this case is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Dated: White Plains, New York
March 10, 2023

A handwritten signature in black ink, appearing to read 'PHILIP M. HALPERN', is written over a horizontal line.

PHILIP M. HALPERN
United States District Judge